

Introduced May 2, 2011
Public Hearing May 16, 2011
Council Action May 25, 2011
Executive Action May 26, 2011
Effective Date June 16, 2011

County Council Of Howard County, Maryland

2011 Legislative Session

Legislative Day No. 5

Bill No. 21 -2011

Introduced by: The Chairperson at the request of the County Executive

AN ACT increasing the total amount of tax credits for Qualifying Energy Conservation Devices that may be granted during a fiscal year; allowing the credit to be granted for certain applications filed on or before a certain date; providing for the termination of the tax credit for Qualifying Energy Conservation Devices; and generally relating to the tax credit for Qualifying Energy Conservation Devices.

Introduced and read first time May 2, 2011. Ordered posted and hearing scheduled.

By order

Stephen M. LeGendre
Stephen LeGendre, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on May 16, 2011.

By order

Stephen M. LeGendre
Stephen LeGendre, Administrator

This Bill was read the third time on May 25, 2011 and Passed ☐ Passed with amendments ☒ Failed ☐.

By order

Stephen M. LeGendre
Stephen LeGendre, Administrator

Scaled with the County Seal and presented to the County Executive for approval this 26th day of May, 2011 at 11:00 a.m./p.m.

By order

Stephen M. LeGendre
Stephen LeGendre, Administrator

Approved/Vetoed by the County Executive May 26, 2011

Ken Ullman
Ken Ullman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. *Be It Enacted by the County Council of Howard County, Maryland, that the***
2 ***Howard County Code is amended as follows:***

3
4 *By amending subsection (e) of:*

5 *Title 20 – Taxes, charges, and fees*

6 *Section 20.128A “Qualifying energy conservation devices.”*

7
8 **Title 20. Taxes, charges, and fees.**

9 **Subtitle 1. Real property tax; administration, credits, and enforcement.**

10 **Part III. State-Authorized Howard County tax credits.**

11
12 **Section 20.128A. Qualifying energy conservation devices.**

13 **(e) *Annual Limit on Amount of Credits Granted:***

- 14 (1) During a fiscal year, the total of all tax credits granted under this section
15 shall not exceed [[\$250,000.00]] \$500,000.00.
- 16 (2) Credits shall be granted in the order in which the Department of Finance
17 receives the complete applications under subsection (f) of this section.
- 18 (3) A complete application that, if granted, would cause the limit set forth in
19 paragraph (1) of this subsection to be exceeded, shall be granted in the
20 next fiscal year or years and in the order received.

21
22 **Section 2. *And Be It Further Enacted by the County Council of Howard County,***
23 ***Maryland that the credit authorized by Section 20.128A of the Howard County Code***
24 ***shall not be granted for applications received after ~~May 2, 2011~~ May 25, 2011 unless the***
25 ***property owner:***

- 26 1. *On or before ~~May 2, 2011~~ May 25, 2011, enters into a contract for eligible costs,*
27 *as that term is defined in Section 20.128A;*
- 28 2. *Applies for the credit on or before April 1, 2012; and*
- 29 3. *Is determined by the Department of Finance to be eligible to receive the credit.*
- 30

1 ***Section 3. And Be It Further Enacted by the County Council of Howard County,***
2 ***Maryland that Section 20.128A of the Howard County Code shall terminate and be of no***
3 ***further force and effect after April 1, 2012, provided that a property owner who applies***
4 ***for a tax credit under Section 20.128A on or before April 1, 2012 may receive the credit***
5 ***after that date, if the property owner meets the requirements of Section 2 of this Act, and***
6 ***the property owner may receive parts of the credit in more than one fiscal year if***
7 ***required by the amount of the credit or limitations in the Annual Budget and***
8 ***Appropriation Ordinance.***

9

10 ***Section 4. And Be It Further Enacted by the County Council of Howard County,***
11 ***Maryland, that this Act shall become effective 61 days after its enactment.***

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on May 26, 2011.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2011.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2011.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2011.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2011.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2011.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

Amendment 1 to Council Bill No. 21-2011

BY: Chairperson at the request
of the County Executive

Legislative Day No. 6
Date: May 25, 2011

Amendment No. 1

(This amendment changes the date by when a contract should be entered into.)

- 1 On page 1, in lines 24 and 26, in each instance, strike "May 2, 2011" and substitute "May 25,
- 2 2011".

ADOPTED May 25, 2011

FAILED _____

SIGNATURE Stephen M. Feltner

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

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Introduced and read first time _____, 2011. Ordered posted and hearing scheduled.

By order _____
Stephen LeGendre, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2011.

By order _____
Stephen LeGendre, Administrator

This Bill was read the third time on _____, 2011 and Passed ____, Passed with amendments ____, Failed ____.

By order _____
Stephen LeGendre, Administrator

Scaled with the County Seal and presented to the County Executive for approval this ____ day of _____, 2011 at ____ a.m./p.m.

By order _____
Stephen LeGendre, Administrator

Approved/Vetoed by the County Executive _____, 2011

Ken Ulman, County Executive

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15 ***shall not exceed [[\\$250,000.00]] \\$500,000.00.***

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17 ***receives the complete applications under subsection (f) of this section.***

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8 *Appropriation Ordinance.*

9

10 *Section 4. And Be It Further Enacted by the County Council of Howard County,*
11 *Maryland, that this Act shall become effective 61 days after its enactment.*